

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
FEBRUARY 4, 1970

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, February 4, 1970 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON,
HUNNELL, SCHAFFER and
KIRSTEN (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Assistant City Manager Peterson, City Attorney Mullen, Planning Director Schroeder and Public Works Director Jones.

PLEDGE Mayor Kirsten led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Brown, Culbertson second, the Minutes of January 7, and January 21, 1970 were approved as written and mailed after changing the last sentence on Page 4 of the Minutes of January 21 to read "on motion of Councilman Hunnell, Brown second."

PRESENTATION

CENTENNIAL Mr. William Lange, Chairman of the Lodi Centennial Committee commented on the Centennial year. He then introduced Mrs. Edna Smith, 604 West Locust Street and Mrs. Alice Dee, 211 South Avenue Avenue, who presented to Councilman Hunnell a scrapbook containing a record of the activities of the 1969 Centennial Year.

Mayor Kirsten expressed appreciation to Mr. Lange and members of the Centennial Committee for their efforts in helping to make the Centennial celebration a success.

BID OPENING

FRANCHISE - REMOVAL OF ABANDONED VEHICLES	The City Manager reported that no bids had been received for removal of abandoned vehicles within the City limits. On motion of Councilman Culbertson, Schaffer second, the Council authorized the staff to negotiate concerning a franchise for the removal of abandoned vehicles within the City limits.
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PUBLIC HEARINGS

AMEND
ZONING ORD.
RE SERVICE
STATIONS
CONT'D.

Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the proposal to amend the Zoning Ordinance to require a Use Permit for an automobile service station in the C-S, C-1, C-2, C-M, M-1 and M-2 Districts. Mayor Kirsten then read a telegram received from Mr. Virgil McNabb, representative of Western Oil and Gas Association, requesting the hearing

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be continued to February 18, 1970. On motion of Councilman Schaffer, Culbertson second, the public hearing was continued to the meeting of February 18, 1970.

PLANNING COMMISSION

The City Manager gave the following report of the City Planning Commission meeting of January 26, 1970:

- OF INTEREST
1. COUNTY REFERRAL - Recommended approval of the request of Mr. Harold L. Merrill for a use permit for a 42-foot by 210-foot greenhouse addition to an existing plant nursery located south of West Turner Road and west of Lower Sacramento Road.
 2. Approved the request of the Lodi Development Company, Inc., by Mr. John Capell for a modification in the Use Permit which approved Phase I of Planned Development District (No. 1) to increase the fence height from 42 inches to 60 inches in front of a new apartment house complex at 820 North Lower Sacramento Road.

COMMUNICATIONS

- ABC LICENSE Notices of Application for Alcoholic Beverage License were read as follows:
1. Diana and Robert C. Davis, 27 Club, 27 North Sacramento Street, person-to-person transfer, on-sale beer and wine public premises.
 2. The Straw Hat Restaurant Corporation, 210 North Ham Lane, original application, on-sale beer and wine eating place.
- LEGISLATION
DISCLOSURE
OF ASSETS City Manager Graves presented a letter received from Mayor Barney Laiolo of the City of Carmel-by-the-Sea requesting the City Council to join in initiating legal action to challenge the law enacted regarding disclosure of assets. No action was taken at this time. City Attorney Mullen reported on the matter later in the meeting.
- REGIONAL
WATER
QUALITY
CONTROL The City Manager reported on correspondence he received from the State of California Regional Water Quality Control Board which cited a new provision to the California Water Code effective January 1, 1970. The provision provides that the City shall notify the Regional Water Quality Control Board of the filing of all tentative subdivision maps and any applications for building permits which may involve the discharge of waste, other than discharge into a community sewer system or discharges from dwellings involving five-family units or less.

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LODI
SPORTSMAN'S
CLUB, INC.

City Manager Graves read a letter from Ed Hague, Secretary of the Lodi Sportsman's Club, Inc. in which Mr. Hague questioned if the City would permit the Club ingress and egress to the property owned by the Club if the City should terminate its lease. Also, Mr. Hague questioned if the City would consider selling to the Club the property owned by the City adjacent to the Club's property. The City presently leases from the Sportsman's Club two acres adjacent to the old City dump site along the Mokelumne River. The matter was referred to the staff for study on motion of Councilman Hunnell, Schaffer second.

CROSSWALK-
TURNER RD
CALIFORNIA-
EDGEWOOD

RES. NO. 3347

Mayor Kirsten read a letter from Miss Kristi Steele, 1160 Green Oaks Way, requesting a crosswalk to be installed across Turner Road at California Street. Mayor Kirsten stated he had discussed the matter with the Public Works Director and it was his recommendation that the request should be granted. On motion of Councilman Schaffer, Brown second, the Council unanimously adopted Resolution No. 3347 establishing a crosswalk across Turner Road on the west side of California Street/Edgewood Drive.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$1,136,302.46 were approved on motion of Councilman Culbertson, Schaffer second.

LODI
IDENTIFI-
CATION
SIGNS

Dr. William Coffield, 26 South Crescent Avenue and Mr. Thomas Bivins, Executive Vice President of the Lodi Chamber of Commerce, presented drawings of "Welcome to Lodi" signs proposed to be erected on the north and south side of the City on Highway 99. Mr. Bivins stated that the Board of Directors of the Lodi Chamber of Commerce had approved the design of the signs and recommended them for approval by the City Council.

After discussion concerning costs of maintenance and operation of the signs, Councilman Schaffer moved the Council approve the sign in concept, and authorize the staff to investigate possibilities of leasing or acquiring property on which the signs could be erected. The motion was seconded by Councilman Brown. Councilman Culbertson then moved the motion be amended to say that the Council approved the design of the sign as selected by the Chamber of Commerce. The amendment to the motion was seconded by Councilman Hunnell and carried. The original motion was then passed by unanimous vote.

Mr. Harry Schumacher, President of the Lodi Chamber of Commerce, thanked the City Council and staff for their cooperation in the matter.

BUSINESS
LICENSE

Mr. Bivens then reported that the Downtown Merchants Association was concerned about certain inequities regarding

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business licenses. Mayor Kirsten assured Mr. Bivins that the Council was aware of the problem and had discussed the problem at a previous meeting. As a result of that meeting, the president of the Cities and County of San Joaquin Association had been requested to place the matter on the agenda for discussion at a future meeting of that association. The City Manager stated the staff would endeavor to accomplish stricter enforcement of the business license ordinance.

SALARY
INCREASES
EMPLOYEES
ASSN AND
UTILITY
CLASSES

RES. NO. 3348

The City Manager presented the "Memorandum of Understanding Between the City of Lodi and City of Lodi Chapter, San Joaquin County Employees Association, Inc." for Council approval. Said memorandum sets forth the salaries and fringe benefits which have been mutually agreed upon by designated representatives of the City and the Employees Association. Copies of the memorandum had been presented to the Council prior to the meeting.

The City Manager also recommended a 5% salary increase for three classes in the Utilities Department which were not represented by the I. B. E. W. or the Employees Association. He recommended the salary range for these three classes should be increased as follows:

Assistant Superintendent of Utilities

\$1023-1074-1127-1184-1243

Electrical Engineer

\$950-998-1048-1100-1155

Utilities Superintendent

\$883-927-974-1023-1074

Councilman Culbertson then moved adoption of Resolution No. 3348 approving the "Memorandum of Understanding Between the City of Lodi and City of Lodi Chapter, San Joaquin County Employees Association, Inc." and granting the salary increases as recommended for the three classifications as listed above.

INCREASE
RETIRED
EMPLOYEES'
BENEFITS

City Manager Graves presented a proposal whereby benefits to retired employees might be increased. He explained that an increased benefits package had been authorized by the State Legislature two years ago. The package provided a one-time "cost of living" increase to retired employees ranging from 2% for 1966 retirees to 12% for those retired prior to December 31, 1961. The package is available through the State Retirement System at the option of the City Council. The estimated cost to the City would be \$2,400 per year. The City Manager explained he had had several requests from retired employees for consideration of this matter.

After consideration of the proposal, on motion of Councilman Culbertson, Schaffer second, the Council approved the

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increase in benefits for retired employees as presented by the City Manager.

AWARD -
CAPELL MANOR
STREET LIGHTS

The City Manager presented bids on the Capell Manor Street Light District as follows:

RES. NO. 3349	Sherman Electric Co.	\$ 4,090.00
	Collins Electrical Co.	4,880.00
	Stanley Electric Motor Co.	5,555.00
	Graffigna Electric	5,600.00
	Steiny and Company, Inc.	7,403.00

Mr. Graves recommended the award be made to the low bidder, Sherman Electric Company. On motion of Councilman Schaffer, Brown second, the Council adopted Resolution No. 3349 awarding the contract for the Capell Manor Street Light District to Sherman Electric Company for a total amount of \$4,090.00.

COMFORT
STATION &
CONCESSION
STAND

City Manager Graves presented the one bid received for the comfort station and concession stand for the softball complex. The bid was from Super Secur Comfort Stations in the amount of \$8,557.50. Since this bid substantially exceeded the estimate for the project, the City Manager recommended award of the bid be delayed so that the Recreation and Parks Director might have an opportunity to determine the cause for the increase in costs. On motion of Councilman Culbertson, Schaffer second, the Council deferred award of the bid to the next regular meeting.

AWARD -
TRACTOR
LOADER

Bids were presented for a tractor loader for the Public Works Department as follows:

	<u>Gasoline</u>	<u>Diesel</u>
RES. NO. 3350	Don Leach Farm Equip. Co. \$ 5,750.00	\$ 6,223.00
	Lodi Tractor Co. 5,884.91	6,137.71
	Ferdun & Woods Co. 6,500.00	6,886.00
	International Harvester Co. 6,699.85	7,410.60
	Mid State Equip. Co. 6,779.65	7,267.65

The City Manager recommended the award be made to the low bidder on the diesel engine, Lodi Tractor Company. On motion of Councilman Schaffer, Culbertson second, the Council adopted Resolution No. 3350 awarding the contract for the furnishing of one diesel engine tractor loader to Lodi Tractor Company for a total amount of \$6,137.71.

NUISANCE -
BARKING
DOGS

City Manager Graves reported the staff had been receiving complaints concerning barking dogs and the present animal control regulations make no provision for this. He presented a recommendation of the City Attorney which would amend the City Code to provide that it would be unlawful to keep any animal which by habitual howling, helping, whining, barking, or other noise disturbs or annoys any considerable number of persons or neighborhood. The City Attorney also recommended that enforcement of the above provision should be in the hands of the affected

ORD. NO. 923
INTRODUCED

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citizens; i.e., that they must sign and file the complaints. The City Manager recommended the City Council direct that the official complaint be signed by affected citizens rather than City employees.

After discussion, Councilman Culbertson stated that with the understanding that the people would have the basic responsibility of signing and filing the official complaint, he would move the introduction of Ordinance No. 923 amending Chapter 3 of the City Code of the City of Lodi to add Section 3-29 entitled, "Unnecessary Noise Creating a Public Nuisance." The motion was seconded by Councilman Schaffer and carried by unanimous vote.

ELECTION
WORKERS'
SALARIES

On motion of Councilman Brown, Schaffer second, the City Council increased the salaries of election workers for the General Municipal Election as follows:

Inspectors - \$21 per day
Judges and Clerks - \$18 per day

SPECS -
TWO TRUCKS

On motion of Councilman Brown, Culbertson second, the Council approved specifications for two trucks for the Public Works Department and authorized advertising for bids thereon.

SPECS -
PICKUP
TRUCK

On motion of Councilman Schaffer, Hunnell second, the Council approved specifications for a pickup for the Public Works Department and authorized advertising for bids thereon.

LOADING
ZONE
REQUEST -
106 W. ELM

At the meeting of January 21, 1970 a request was received from Gray's Quality Gas for a loading zone at 106 West Elm Street. At that time the Council referred the matter to the Public Works Department for recommendation. The City Manager reported that the Public Works Director had reviewed the request and recommended it be denied. He did suggest that some arrangement might be made to locate the loading zone off-street. Councilman Culbertson then moved the matter be referred back to the staff and directed the staff to negotiate with the property owner to determine if the loading zone might be located off-street. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

PROHIBITION
OF TRUCKS
ON E. TOKAY
BTWN STKTN
& CHEROKEE

City Attorney Mullen explained to the Council that the ordinance introduced at the meeting of January 21, 1970 prohibiting trucks in excess of five tons on East Tokay Street between Stockton Street and Cherokee Lane was not adequate to achieve its intended purpose. He recommended the ordinance not be adopted, but rather he presented two ordinances which he recommended the Council should adopt to achieve the intended purpose.

ORD. NO. 921
ORD. NO. 922
INTRODUCED

Councilman Culbertson then moved introduction of Ordinance No. 921 amending Section 14-24 of the Code of

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the City of Lodi thereby prohibiting commercial vehicles on certain streets. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

On motion of Councilman Culbertson, Brown second, the Council then introduced Ordinance No. 922 amending Ordinance No. 514, Section 3 thereof, which established set weights for commercial vehicles on certain streets.

NCPA

Mayor Kirsten reported that the Northern California Power Agency had submitted an application to the United States Department of Housing and Urban Development for a planning grant. He requested authorization to send a letter to Secretary George Romney of the Department of Housing and Urban Development endorsing the application. Mayor Kirsten also requested Council approval for the City Manager and the Mayor to travel to Washington, D. C., if necessary, concerning this matter. On motion of Councilman Schaffer, Hunnell second, the Council directed the Mayor to send a letter of endorsement of the application to Secretary Romney and authorized the Mayor and City Manager to travel to Washington, D. C. as requested.

DISCLOSURE OF ASSETS

City Attorney Mullen discussed the Disclosure of Assets law and advised the Council it was his opinion that the law would be substantially complied with if an individual declared he had assets in excess of \$10,000; it would not be necessary to state the amount of the assets.

After further discussion of the above matter, Councilman Hunnell moved the Mayor be authorized to notify the City of Carmel-by-the-Sea that the Lodi City Council opposes the Disclosure of Assets law and agrees in principle with the stand that city has taken relative to this matter. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

CORPORATION YARD

At the request of Councilman Culbertson, the City Manager reported on the progress of the plans for the proposed corporation yard.

SIDEWALKS

Councilman Culbertson questioned if the report requested at the meeting of January 7, 1970 concerning sidewalks in certain areas of the City had been completed. The City Manager stated the report was not available but would be forthcoming.

RECREATION COMMISSION MINUTES

Councilman Culbertson commented on recent Minutes of the Recreation and Parks Commission.

TREE TRIMMERS COMPLIMENTED

Councilman Schaffer complimented the Public Works Department for the excellent job the tree trimmers have done throughout the City.

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FLUORIDATION Councilman Culbertson presented a copy of the San Joaquin Local Health District's "Health Review" dated February, 1970 which gave certain statistics concerning fluoridation. He requested the Clerk to forward copies of the bulletin to the Council for their information.

TREES - Councilman Culbertson said he had received a request
LEE AVE. from the Women's Club for removal of trees on Lee Avenue. He requested the staff to investigate the matter.

EXECUTIVE At approximately 10:15 p.m. the Mayor adjourned the
SESSION meeting to an executive session.

ADJOURNMENT

At approximately 11:05 p.m. the Council reconvened. There being no further business, the meeting was adjourned.


Attest: BESSIE L. BENNETT
City Clerk